

An Ordinance amending The Electrical Code of the City of Fort Wayne, Indiana, Chapter 38 of the Municipal Code, by amending Sections 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 26, 29, 30, 31, 36, and 40 thereof.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. It is the purpose of this ordinance to correct ambiguities in the language of the Electrical Code and clarify the same so that the Building Department which administers the Code and those persons engaged in the Electrical trades who must work in accordance with the Code will understand and proceed without doubts concerning the true meaning and intent of the same.

SECTION 2. Section 12 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 12. License required. No person, firm, or corporation shall engage in the business of installing, maintaining, altering or repairing within the City of Fort Wayne or in connection with civil city owned property outside of the City of Fort Wayne, any electrical wiring, devices, appliances or equipment unless such a person, firm or corporation shall have received an electrical contractor's license (Class I) and certificate therefor, nor shall any person, firm or corporation, in any manner, undertake to execute any such electrical work unless such person, firm or corporation shall have in his (or its) employ a person who has an electrical supervisor's license (Class II) and certificate therefor; nor shall any person engage in such electrical work unless he is a holder of journeyman's license (Class III); except that no license shall be required in order to execute the following work:

1. Any work involved in the manufacture, test or repair of electrical materials, devices, appliances or apparatus, but not including any permanent building wiring.

2. The assembly, erection and connection of electrical apparatus and equipment by the manufacturer of such apparatus and equipment, but not including any electrical wiring other than involved in making electrical connections on the apparatus or equipment itself or between two or more parts of such apparatus or equipment.

3. For minor repair work, for the replacement of lamps or for the connection of portable devices to suitable receptacles which have been permanently installed.

4. For the installation of wiring, devices, appliances or equipment for the operation of signals or the transmission of intelligence, where such wiring, devices, appliances or equipment operate at a voltage not exceeding fifty volts between conductors, and do not include generation or transforming equipment capable of supplying more than 50 Watts of energy.

5. For any repairing, maintenance or servicing of any equipment installed under the provision of the Ordinance.

6. Installations and equipment in railway cars, commercial or governmental radio transmission installations beyond the point of energy to the individual units, or installations and equipment employed by an electrical supply or communication agency in the generation, transmission or distribution of electrical energy or for the operation of signals or the transmission of intelligence in the exercise of its function as a utility.

7. Activities normally identified as that engaged in by one acting as a helper or apprentice to a Class II or Class III license.

#### SECTION 3. Section 13 of Chapter 38 of the Municipal

Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 13. Classes of licenses. Three classes of license and certificates therefor shall be issued. These shall be designated as Class I Electrical Contractor's License; Class II Electrical Supervisor License; Class III Journeyman's License.

Class I - Electrical Contractor's License shall entitle the holder thereof to engage in the business of electrical contracting to secure permits for installation, alteration and repair of any electrical wiring, devices, appliances, or equipment. Holder of license is required to have passed an examination or is required to have in his (or its) employ a person who has passed a Class II examination.

Class II - Electrical Supervisor's License shall entitle the holder thereof to supervise the work of installing, maintaining, altering, and repairing electric wiring, devices, appliances, and equipment while in the employ of an electrical contractor, or other industry requiring a full-time electrical construction and/or maintenance department. In the latter provision such work shall be limited to the premises owned or occupied by such industry.

Class III - Journeyman's License shall entitle the holder thereof to undertake the work of installing, maintaining, altering and repairing electrical wiring, devices, appliances and equipment under the supervision of a holder of an electrical supervisor's license.

SECTION 4. Section 14 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 14. Applicant for A Class I Electrical Contractor's License shall be required to establish and maintain a business office and a listed business telephone not further from Fort Wayne than within the boundaries of the counties contiguous to Allen County, Indiana.

Application shall be on a form available at the Building Department which shall state:

Name of Person, Firm, or Corporation to be Holder.

Name of Person Holding Class II License who is designated Supervisor.

Address from which business is to be conducted.

Business telephone number. (If new to be verified by Telephone Company).

Applicant for a Class II Electrical Supervisor's License, or a Class III Journeyman's License shall be required to take a qualifying examination. Applications for license shall be made in writing to the Board of Examiners not later than twenty (20) days prior to examination date on a form available at the Building Department stating the class of license applied for.

SECTION 5. Section 15 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 15. Holder of License and Supervisor, Class I and II. Each applicant for a Class I License issued in accordance with the provisions of this Ordinance shall be known as the holder of the license, and shall specify on the application the name of the person who has passed the examination for Class II and such person shall be designated in the certificate as the supervisor of all work to be done under the license. The person designated as the supervisor shall be a person in the employ or the holder himself; or if the holder is a firm, may be a member of the firm; or if the holder is a corporation, may be an officer in the corporation.

The person who is designated as Supervisor shall notify the Board of Electrical Examiners within 30 days if he shall leave employment of holder of Class I License

The same person shall not be designated as the supervisor in two or more Class I Licenses issued to different persons, firms or corporations.

In event that the business association with or employment of the supervisor by the holder of the Class I License shall terminate, said license shall become null and void ninety (90) days after such termination, unless another person who has passed the examination is designated as the supervisor.

SECTION 6. Section 16 of Chapter 38 of the Minicipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 16. Bond and Insurance requirement shall comply with Section 107 of the Building Code.

SECTION 7. Section 17 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 17. Fees for licenses; duration and renewal of license. Before a license is granted to any applicant and before any expiring license is renewed, the applicant shall pay to the city a fee in such an amount as is herein specified for the class of license to be granted or renewed as follows:

Class II, Electrical supervisor.....	\$ 15.00
Annual renewal fee.....	10.00

Each license shall expire on December 31st following the date of its issue and shall be renewed by the Board of Electrical Examiners through the Electrical Inspector upon application of the holder of the license and payment of the required fees any time before or within thirty (30) days from the date of such expiration.

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In the event that licensee allows his license to expire without renewal within thirty (30) days, he shall submit a new application for license subject to the full annual fee for new license.

No examination shall be required if license lapse is less than one (1) year.

SECTION 8. Section 19 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 19. Display of certificates. Certificate of license, Class I, shall be displayed by licensee in a conspicuous manner in his (its) principal place of business.

Journeymen and Supervisors shall carry their certificates with them while on the job.

SECTION 9. Section 20 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 20. Citizenship Requirements. No one but an American citizen or one in the process of becoming an American citizen shall be granted a license under this Code in the City of Fort Wayne.

SECTION 10. Section 21 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 21. Licenses - non-transferable. No license issued in accordance with the provisions of this Code shall be assignable or transferable.

SECTION 11. Section 22 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 22. Suspension or revocation of license. Any license may, after hearing, be suspended or revoked by the Board of Electrical Examiners if the person, firm or corporation holding such license wilfully, or by reason of incompetence, repeatedly violates any Statutes of the State of Indiana or any ordinance or rules or regulations of the City of Fort Wayne or the National Electrical Code relating to the installation, maintenance, alteration or repair of electrical wiring, devices, appliances and equipment.

The Board of Electrical Examiners shall revoke any Class I electrical license if during a period of two (2) years no permit for the installation of any electrical wiring, devices, appliances, or apparatus shall have been secured from the City of Fort Wayne by the holder of the license.

SECTION 12. Section 26 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 26. Time of examinations. Examinations will be given regularly on the first Monday in January, April, July, and October, unless that day is an official holiday or officially celebrated as such, in which case examinations will be given on the following Monday. Applications will be accepted no later than twenty (20) days prior to examination date.

SECTION 13. Section 29 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 29. Qualifications for and scope of examination. No person shall be examined for an Electrical Supervisor's License unless he shall have been a holder of a Class III License for at least four (4) years, or can furnish satisfactory evidence of four (4) years' work experience normally associated with the duties of a journeyman electrician.

No person shall be examined for a Class III License unless he shall have had experience of at least four (4) years as an apprentice or helper in electrical construction and maintenance. (Excluding electronics - signal and telephone.)

A certificate or diploma from a recognized school of electricity construction or maintenance will be acceptable in lieu of two (2) of the four (4) years hereinabove required for a Class III License. Two (2) years' electrical experience in the United States Military Service will also be acceptable however in lieu of one (1) year of the four (4) noted above. Not more than two (2) years' credit shall be given for any combination of such school work and military experience.

Applicants will be examined to determine their knowledge of the rules and regulations governing the installation of electrical wiring, devices, appliances and equipment, as set forth in the statutes of this State, or as issued under the authority of the statutes of this State, in ordinances of the City, and in the National Electric Code, and to determine the general qualifications and fitness of each applicant for executing the class of work covered by the license applied for.

SECTION 14. Section 30 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

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Section 30. Failure to pass examinations. Should an applicant fail to pass an examination, not having obtained a rating of 70% or higher, said applicant may be re-examined upon submitting application in writing at least twenty (20) days before the next specified examination date, provided that an applicant who fails in an examination for a Class III license shall not be eligible for another examination until the expiration of six (6) months and should he fail in the second examination, he shall not be eligible for a third examination until the expiration of one (1) year after the second examination.

SECTION 15. Section 31 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 31. Form and grading of examinations. Examinations shall be in writing and a complete record of each shall be kept on file for a period of seven (7) years after date of such examination at the office of the Electrical Inspector.

Examination shall be independently graded by the Electrical Inspector and by at least two other members of the Board of Examiners.

The Board of Examiners shall grant, through the Electrical Inspector, license as applied for and shall issue certificates therefor to those applicants who shall show the proper qualifications, provided that in every case the license shall not be granted until the prescribed fee has been paid.

SECTION 16. Section 36 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 36. Application for permit. Applications for permits describing the work to be done shall be made in writing to the Electrical Inspector by the person, firm or corporation installing the work, and the permit when issued, shall be to such applicant. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the regulations and requirements of this Code. If the applicant has complied with all the provisions of this Code, a permit for such installation shall be issued; provided, however, that the issuance of the permit shall not be taken as permission to violate any of the requirements of this Code. It shall be unlawful for one duly licensed Electrical Contractor to secure a permit for another Electrical Contractor who is not licensed under this Ordinance.

SECTION 17. Section 40 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 40. Inspection and certificates. Upon the completion of the work which has been authorized by issuance of a permit, it shall be the duty of the person installing the same to notify the Electrical Inspector who shall inspect the installation within twenty-four (24) hours, exclusive of Saturdays, Sundays and legal holidays, of the time such notice is given or as soon thereafter as is practicable, and if found to be in full compliance with the provisions of this chapter, he shall issue a final certificate of approval and send written notice to all distributors of electricity of such authorization. No distributor of electricity shall connect to source of supply without the authority of the Electrical Inspector.

When a certificate of approval is issued authorizing the connection and use of incomplected or temporary work, such certificate shall be issued to expire at a time stated therein and shall be revocable by the Electrical Inspector for cause. A preliminary certificate of approval may be issued authorizing the connection and use of certain specified portions of an uncompleted installation, such certificate being revocable at the discretion of the Electrical Inspector.

When any part of a wiring installation is to be hidden from view by permanent placement of parts of the building, the person installing the wiring shall notify the Electrical Inspector and such parts of the wiring installation shall not be concealed until after they have been inspected and approved by the Electrical Inspector, or until twenty-four (24) hours, exclusive of Saturdays, Sundays and legal holidays, shall have elapsed from the time of such notification, providing that on large installations, where the concealment of parts of the wiring proceeds continuously, the person installing the wiring shall give the Electrical Inspector due notice and inspections shall be made periodically during the work.

If the installation is not found to be fully in compliance with this ordinance, the Electrical Inspector shall post notice on the installation; also a written notice stating the defects which have been found to exist.

If more than two (2) trips to a job site are required for the Inspector to verify a correction of defective workmanship or improper application of materials and/or equipment, subsequent trips to that job site for such purposes shall be billed to the Electrical Contractor at Five (\$5.00) Dollars per trip.



SECTION 18. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the Ordinance as a whole or any other part, section, clause, provision, or portion of this Ordinance.

SECTION 19. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

  
\_\_\_\_\_  
Councilman

Approved as to form and legality

\_\_\_\_\_  
City Attorney

Read the first time in full and on motion by Nuckols, seconded by Tallico, and duly adopted, read the second time by title and referred to the Committee on Regretters (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 5/8/73

Charles W. Hesterman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 5/22/73

Charles W. Hesterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (Special) (Appropriation) Ordinance (~~Resolution~~) No. 2-10-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Hesterman  
CITY CLERK

W. Daniel C. W. Jr.  
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Hesterman  
CITY CLERK

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

San A. Johnson  
MAYOR

Bill No. G-73-05-15

REPORT OF THE COMMITTEE ON Regulations

We, your Committee on Regulations to whom was referred an Ordinance

amending the Electrical Code of the City of Fort Wayne,  
Indiana, Chapter 38 of the Municipal Code, by amending  
Sections 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 26, 29,  
30, 31, 36, and 40 thereof.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols  
Vivian G. Schmidt  
William T. Hinga  
Paul M. Burns  
DJ Schmidt

DATE 5-22-73 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

## House Memorandum

To Mayor I. A. Lebamoff

Date April 18, 1973

From Roy L. Humbarger

Subject Proposed Amendment to Electrical Licensing Ordinance

COPIES TO:

In brief, this proposed amendment to the Electrical Licensing Ordinance will:

- (1) Clarify classes of licenses, drop maintenance contractors putting them in Class I. At present, we get none of these anyhow. These were supervisors to be in plant people for maintenance such as G.E., Harvester, Dana etc. In Class II, the new ordinance will provide for supervisors, which at the present time are designated by stamping the word "supervisor" across a Journeymans' card.
- (2) Will more clearly define the requirements for being permitted to take an examination for electrical contractors' licenses. By present wording of the ordinance, anyone could come in and apply for a contractors' licenses. The original intent of the law was that you must have been a Journeyman Electrician for four (4) years to be eligible. Each time the Board gives an examination they have to argue with one or two who want to capitalize on this miswording.
- (3) Electrical contractors will be required to establish a business office and a listed business telephone within Allen County or one of the counties contiguous to Allen County. The purpose of this is to insure that a Class I licensee will not sell his license for obtaining permits when he is not involved with the work or even is not active as an electrician.

There is really nothing in this proposed amendment which should, in my estimation, cause any argument from men of council.

Please let me know when received so I  
can purge file. Thanks Jan

REQUEST FOR ACTION

To: ~~City Attorney David B. Keller~~

~~City~~  
Associate City Attorney Ralph Blume

From: (Name, Title & Department) Roy L. Humbarger Building Commissioner

BUILDING DEPARTMENT

Approved by

(Person authorized to forward legal work)

Date: January 24, 1973

Subject: Code Amendments on Electrical Licensing  
(File subject designation)

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File # Assigned by Records Librarian

Ordinance & Resolution #3064

Date: February 20, 1973

\*\*\*\*\*

Action Requested: To correct ambiguities in present wording of  
Electrical License Ordinance, amend as requested by attached copy.

(Continue on reverse side, if necessary)

cc: City Attorney David B. Keller  
(If request originally sent to an Associate City Attorney)  
Mayor Ivan A. Lebamoff  
Department Head of Requesting Party ✓

DIGEST SHEET

*13-05-15  
Regulators*

TITLE OF ORDINANCE 105 Licenses

DEPARTMENT REQUESTING ORDINANCE BUILDING DEPARTMENT

SYNOPSIS OF ORDINANCE See attached copy

EFFECT OF PASSAGE Will better enable the Electrical Examining Board of enforce  
license provisions.

EFFECT OF NON-PASSAGE Legally Journeymen Electricians could ply their trade with-  
out a license because of errors in the wording.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

# ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

BILL NO.	<i>73-05-15</i>
ORDINANCE NO.	<i>5-10-73</i>
<input checked="" type="checkbox"/> REGULAR SESSION	<i>5-8-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	
BILL WRITTEN BY	<i>Building Dept.</i>
DATE INTRODUCED	<i>5-8-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Nuckols Regulations</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>5-22-73</i>
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	<i>Transferred from COMMUNICATIONS FROM Reg. Homburgers</i>
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

*Legal Sheet.*  
*Request for action*  
 COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<input checked="" type="checkbox"/>		
HINGA	<input checked="" type="checkbox"/>		
KRAUS	<input checked="" type="checkbox"/>		
MOSES	<input checked="" type="checkbox"/>		
NUCKOLS	<input checked="" type="checkbox"/>		
D. SCHMIDT	<input checked="" type="checkbox"/>		
V. SCHMIDT	<input checked="" type="checkbox"/>		
STIER	<input checked="" type="checkbox"/>		
TALARICO	<input checked="" type="checkbox"/>		

COMMENTS: